

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE GENETICALLY MODIFIED) Case No. 4:06MD1811 CDP
RICE LITIGATION) ALL CASES

CASE MANAGEMENT ORDER No. 20

For the reasons stated on the record during the status conference on December 3, 2009, certain deadlines in CMOs 16 and 19 are modified as follows:

1. First Group of Cases to be Remanded:

a. For the first remand group, all case-specific fact discovery shall be completed no later than **March 15, 2010**.

b. Plaintiffs shall disclose expert witnesses related to issues of individual damages and provide the reports required by Federal Rule of Civil Procedure 26(a)(2) no later than **April 5, 2010**, and shall make these expert witnesses available for depositions, and have depositions completed, no later than **April 19, 2010**.

c. Defendants shall disclose expert witnesses related to issues of individual damages and provide the reports required by Federal Rule of Civil Procedure 26(a)(2) no later than **May 5, 2010**, and shall make these expert witnesses available for depositions, and have depositions completed, no later than **May 19, 2010**.

d. All discovery shall be completed no later than **May 19, 2010**.

e. Any motions for summary judgment or motions to exclude or limit expert testimony under *Daubert* or for any other reason must be filed no later than **June 11, 2010**. Briefs in opposition must be filed by **July 1, 2010**, and any reply brief shall be filed no later than **July 16, 2010**.

2. Second Group of Cases to be Remanded:

a. For the second remand group, no later than **December 14, 2009**, lead counsel from each side will select an additional ten cases from each of the following originating districts: Eastern District of Arkansas, Western District of Louisiana, and Southern District of Texas. Each side will thus select 30 cases for a total of 60 in this second group.

b. Amendments of pleadings shall be due no later than **December 31, 2009**.

c. Case-specific written discovery and notices of deposition related to these plaintiffs' claims may be served on or after **January 7, 2010**. All case-specific fact discovery shall be completed no later than **August 20, 2010**.

d. All other dates regarding the second group of cases to be remanded are unchanged from those outlined in CMO 16 [#1129].

3. Non-Producer Cases Except *Riviana*:


a. For all non-producer cases, with the exception of *Riviana Foods Inc. v. Bayer Cropscience AG et al.*, Case No. 4:08CV375, depositions of plaintiffs' expert witnesses shall be completed no later than **February 15, 2010**. Defendants' expert disclosures under Federal Rule of Civil Procedure 26(a) shall be made no later than **February 15, 2010**, and the depositions of these witnesses shall be completed no later than **March 26, 2010**. Plaintiffs' rebuttal expert disclosures shall be made no later than **April 23, 2010**, and the depositions of these witnesses shall be completed no later than **May 17, 2010**.

b. All requests for admissions must be served no later than **March 22, 2010**.

c. The parties shall complete fact discovery no later than **April 21, 2010**.

d. Any motions to dismiss, for summary judgment, motions for judgment on the pleadings, or *Daubert* motions or other motions to exclude or

limit expert testimony must be filed no later than **June 1, 2010**. Opposition briefs shall be filed no later than 30 days thereafter or **July 8, 2010** and any reply brief shall be filed no later than 14 days thereafter or **August 5, 2010**.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 4th day of December, 2009.